IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 23RD AUGUST 2007 / 1ST BHADRA 1929

WP(C).No. 25720 of 2007(J)

PETITIONER:

DAVID JOHN, AGED 50 YEARS,
S/O JOHN, JATHIKKATHOPPIL HOUSE,
ALUKKAL GARDEN, POOVANI, KOLAZHI, THRISSUR.

BY ADV. SRI.P.SANTHOSH (PODUVAL)
SMT.R.RAJITHA

RESPONDENTS:

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1. CORPORATE MANAGER,
CMS SCHOOLS(COCHIN AREA),
CMS HIGHER SECONDARY SCHOOL,
ROUND WEST, THRISSUR.

2. DISTRICT EDUCATIONAL OFFICER,
THRISSUR.

3. DEPUTY DIRECTOR OF EDUCATION,
THRISSUR.

R2, R3 BY GOVT. PLEADER SRI.A.J.VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN, J.

W.P(C).No.25720 OF 2007

Dated this the 23rd day of August, 2007

JUDGMENT

Following the issuance of Ext.P9 memo of charges, to which, the petitioner has placed objections, the Manger of the school, where the petitioner works, has placed him under suspension. Obviously, this action requires the concurrence of the statutory respondents to keep the petitioner under suspension beyond the period of 15 days. Even if the petitioner is aggrieved by any decision of the Deputy Director, which may be adverse to him, he would have statutory remedies available under the Kerala Education Rules, 1958. Under such circumstances, without expressing anything on merits, this writ petition is disposed of directing that the petitioner's objections, if any, to the order of suspension and to any request of the Manager to continue him under suspension will also be considered by the third respondent while considering the question as to whether the order of suspension of the petitioner should be permitted to continue beyond 15 days.

THOTTATHIL B.RADHAKRISHNAN,
Judge

kkb.